

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOEL CARTER,

Plaintiff,

v.

UNKNOWN MANDY, *et al.*,

Defendants.

Case No.: 21-11568

Mark A. Goldsmith
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

_____/

**ORDER GRANTING DEFENDANTS' MOTION TO TAKE PLAINTIFF'S
DEPOSITION (ECF No. 21)**

Defendants Darnell Mandy and Sebastian Freeman ("Defendants") seek leave of Court to take Plaintiff's deposition by video conference, or by telephone pursuant to Fed. R. Civ. P. 30(a)(2) which requires a party to obtain leave of court to depose a person who is confined in prison. (ECF No. 21). Defendants also seek an order from the Court to take the deposition remotely pursuant to Fed. R. Civ. P. 30(b)(7).¹ (*Id.* at PageID.149). The Court must grant a defendant leave to depose plaintiff to the extent consistent with Fed. R. Civ. P. 26(b)(1) and (2), which permit discovery on any non-privileged, relevant matter. Fed. R. Civ. P. 30(a)(2). In

¹ Authority to take deposition by phone or other remote means now in Fed. R. Civ. P. 30(b)(4).

accordance with the governing rules, Defendant's motion to depose Plaintiff (ECF No. 21) is **GRANTED**. It is further **ORDERED** that Defendants may take Plaintiff's deposition via telephone or video conference pursuant to Fed. R. Civ. P. 30(b)(4).

IT IS SO ORDERED.

Review of this Order is governed by Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d).

Date: August 26, 2022

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 26, 2022, by electronic means and/or ordinary mail.

s/Kristen MacKay
Case Manager
(810) 341-7850